

EXHIBIT A

Cause No. 2015-CI-14530
Adel Saeed v. Michael L. Dale and Running Cool Express, LLC
45th Judicial District, Bexar County Texas

INDEX OF STATE COURT FILING DOCUMENTS

1. 08/31/2015 Plaintiff's Original Petition & Request for Disclosures
2. 08/31/2015 Civil Case Information Sheet
3. 09/03/2015 Civil Filing Holdings Notes
4. 09/03/2015 Citation Issued as to Defendant Michael L. Dale
5. 09/03/2015 Citation Issued as to Defendant Running Cool Express, LLC
6. 09/10/2015 Return of Service of Citation as to Defendant Running Cool Express, LLC
7. 09/25/2015 Original Answer of Defendant Running Cool Express, LLC

CAUSE NO. **2015CI14530**

ADEL SAEED,

PLAINTIFF;

v.

MICHAEL L. DALE, RUNNING COOL
EXPRESS, LLC;

DEFENDANTS.

IN THE DISTRICT COURT

45TH

JUDICIAL DISTRICT

OF BEXAR COUNTY, TEXAS

PLAINTIFF'S ORIGINAL PETITION & REQUEST FOR DISCLOSURES

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, Adel Saeed ("**Saeed**" or "**Plaintiff**"), and files this Original Petition and Request for Disclosures complaining of Michael L. Dale ("**Defendant Dale**") and Running Cool Express, LLC ("**Defendant RCE**") (collectively "**Defendants**") for causes of action set forth herein, and would respectfully show the Court as follows:

SUMMARY

1. On September 11, 2013, Plaintiff was traveling northbound on the Interstate Highway 35 in the center lane. Defendant Dale, who was an employee or agent of Defendant RCE and acting on its behalf at this time, was driving a semi-truck located in the far left lane. Defendant Dale attempted to make a right lane change into the center lane and, in so doing, hit the back left-side of Plaintiff's vehicle causing it to spin out of control and skid off the side of the highway. As a result of Defendant Dale's conduct, Plaintiff has suffered severe injuries to his health, strength, and well-being and, thus, incurred extensive damages.

///

DISCOVERY LEVEL

2. Discovery should be conducted under Discovery Control Plan-Level 2, pursuant to Tex. R. Civ. P. 190.3.

PARTIES

3. Plaintiff is an individual with an address of 9914 W. Military Dr., Apt. #316, San Antonio, Bexar County, Texas 78251.

4. Defendant Dale is a non-resident individual, who was at all relevant times doing business in the state of Texas, but has not designated or maintained an agent for service of process. A copy of the citation and the petition should be mailed by the Secretary of State of Texas to this defendant at 4058 9th St., Wayland, Michigan 49348. Service is hereby requested.

5. Defendant RCE is a foreign limited liability company that is required by law to maintain an agent for service of process but has failed to do so. \For this reason, citation should be served on the Secretary of State of Texas under Tex. Civ. Prac. & Rem. Code section 17.044(a)(1). A copy of the citation and the petition should be mailed by the Secretary of state of Texas to this defendant at 2479 E 650 N, Fremont, Indiana 46737. Service is hereby requested

JURISDICTION AND VENUE

6. The District Courts of Bexar County, Texas have jurisdiction over this case. The amount in controversy exceeds the minimal jurisdictional limits of this Court as damages are estimated to be in excess of ten thousand dollars (\$10,000.00). The exercise of this Court's jurisdiction over the Defendants is, therefore, proper.

7. The subject matter of this suit arose in Bexar County, where all or a substantial part of the events or omissions giving rise to the claims occurred. Accordingly, venue is proper in Bexar County, Texas pursuant to Civil Practice and Remedies Code, Section 15.002(a)(1).

BACKGROUND FACTS

8. On September 11, 2013, Plaintiff was driving northbound on the Interstate Highway 35 (the “*I-35*”) in the center lane. The I-35 northbound consists of three (3) lanes.

9. At this same time, Defendant Dale was driving northbound on the I-35 in the left lane. Defendant Dale was operating a semi-truck hauling wood beams and cable dividers for his employer, Defendant RCE. Thus, at all times during the material facts herein alleged, Defendant Dale was acting on behalf of Defendant RCE.

10. Defendant Dale attempted to make a right lane change into the center lane and ran into the left back-quarter panel of Plaintiff’s vehicle Plaintiff’s vehicle spun out of control and skidded off the right side of the I-35 onto the grass (the “*Accident*”).

11. As a direct and proximate result of Defendant Dale’s conduct, Plaintiff suffered injuries to his health, strength, and well-being. These injuries caused and will continue to cause Plaintiff mental and physical pain and suffering in general damages in excess of \$10,000.00.

12. As a direct and proximate result of Defendant Dale’s conduct, Plaintiff had to employ physicians and other health care providers to examine, treat, and care for his injuries. As a result, Plaintiff incurred medical and incidental expenses that constitute damages in excess of \$10,000.00.

13. As a direct and proximate result of Defendant Dale’s conduct, Plaintiff has been required to consult and hire an attorney, incurring attorney’s fees and costs to bring this action.

CAUSES OF ACTION

A. Negligence: Against Defendants

14. Plaintiff incorporates the above paragraphs by reference as if set forth herein verbatim.

15. Defendant Dale owed a duty to Plaintiff to exercise reasonable care to keep a careful lookout while operating the semi-truck in a safe and reasonable manner.

16. Defendant Dale breached this duty owed to Plaintiff by negligently merging into the center lane without a sufficient space to do so and thus hitting Plaintiff's car.

17. As a result of Defendant Dale's conduct in negligently making a right lane change into the center lane, in breach of the duty owed by Defendant Dale to Plaintiff, Defendant Dale's vehicle struck Plaintiff's vehicle causing Plaintiff's vehicle to spin out of control and skid off the right side of I-35.

18. As a direct and proximate result of Defendant Dale's conduct, Plaintiff suffered injuries to his health, strength, and well-being. These injuries caused and will continue to cause Plaintiff mental and physical pain and suffering in general damages in excess of \$10,000.00.

19. As a direct and proximate result of Defendant Dale's conduct, Plaintiff had to employ physicians and other health care providers to examine, treat, and care for his injuries. As a result, Plaintiff incurred medical and incidental expenses that constitute damages in excess of \$10,000.00.

20. At all times material hereto, Defendant Dale was an actual employee of, or agent for, Defendant RCE. During the Accident, Defendant Dale was acting on behalf of his employer, Defendant RCE. Thus, Defendant RCE is vicariously liable for the negligent actions of Defendant Dale and the subsequent damages caused to Plaintiff, as set forth above, under the doctrine of respondeat superior.

B. Negligence *Per Se*: Against Defendants

21. Plaintiff incorporates the above paragraphs by reference as if set forth herein verbatim.

22. The actions of Defendant Dale mentioned herein violated the traffic laws of Bexar County and the State of Texas, thus constituting negligence *per se*.

23. As a direct and proximate result of Defendant Dale's conduct, Plaintiff suffered injuries to his health, strength, and well-being. These injuries caused and will continue to cause Plaintiff mental and physical pain and suffering in general damages in excess of \$10,000.00.

24. As a direct and proximate result of the foregoing negligence, Plaintiff had to employ physicians and other health care providers to examine, treat, and care for his injuries. As a result, Plaintiff incurred medical and incidental expenses that constitute damages in excess of \$10,000.00.

25. At all times material hereto, Defendant Dale was an actual employee of, or agent for, Defendant RCE. During the Accident, Defendant Dale was acting on behalf of his employer, Defendant RCE. Thus, Defendant RCE is vicariously liable for the negligent actions of Defendant Dale and the subsequent damages caused to Plaintiff, as set forth above, under the doctrine of respondeat superior.

C. Exemplary Damages (Gross Negligence): Against Defendants

26. Plaintiff incorporates the above paragraphs by reference as if set forth herein verbatim.

27. Plaintiff asserts that Defendant Dale's specific conduct complained of in the above paragraphs and displayed by Defendant Dale was substantially more than ordinary carelessness, inadvertence, or laxity, but rather specifically consisted of gross negligence, as that term is defined by law.

28. Plaintiff further shows that the negligent acts and/or omissions in question were the result of conscious indifference to the rights, welfare and/or safety of Plaintiff and constituted gross negligence, which was the proximate and direct cause of Plaintiff's injuries.

29. In the alternative, Plaintiff would further contend that the acts and/or omission of Defendant Dale involved an extreme degree of risk, considering the probability and magnitude of the potential harm to Plaintiff, and although Defendant Dale had actual, subjective awareness of

the risks involved, he nevertheless proceeded with conscious indifference to the rights, safety and/or welfare of Plaintiff. Such acts were a proximate cause of Plaintiff's injuries.

30. For this gross negligence, Plaintiff specifically pleads for the recovery of exemplary damages pursuant to Section 41.003 of the Texas Civil Practice and Remedies Code.

ATTORNEY FEES

31. As a result of Defendant Dale's actions and omissions, Plaintiff has been required to employ the undersigned attorney to file and prosecute this suit. Accordingly, Plaintiff is entitled to receive reasonable attorney fees pursuant to Civil Practice & Remedies Code, Section 38.001, *et seq.*

REQUEST FOR DISCLOSURE

32. Pursuant to TEX. R. CIV. P. 194, Defendants are requested to disclose on or before fifty (50) days after service of this request, the information or material described in Rule 194.2.

STATEMENT PURSUANT TO TRCP 47

33. Pursuant to the Texas Rules of Civil Procedure, Rule 47, Plaintiff seeks monetary relief over \$1,000,000.

CONDITIONS PRECEDENT

34. All Conditions Precedent have been performed or have occurred to entitle Plaintiff to judgment against Defendants.

DEMAND FOR JURY TRIAL

35. Plaintiff hereby demands a jury trial and will tender the requisite fee as required prior to trial.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff requests that Defendants be cited to appear and answer, and that on final trial Plaintiff has judgment against Defendants as follows:

- a. Actual damages;
- b. Consequential damages;
- c. Statutory damages where applicable;
- d. Exemplary damages where applicable;
- e. Pre-judgment and post-judgment interest at the highest rate allowed by law;
- f. Judgment for reasonable attorney fees;
- g. Judgment for all costs of court incurred by Plaintiff in bringing this action; and

Any other and further relief, special or general, legal or equitable, as Plaintiff may show herself to be justly entitled to receive.

Respectfully Submitted,

SHUMWAY VAN

/s/ Robert Y. Petersen

Michael C. Van

State Bar No. 24079761

Robert Y. Petersen

State Bar No. 24083655

310 S. St. Mary's #2100

San Antonio, Texas 78205

Tel: (210) 503-2800

Fax: (210) 503-2888

michael@shumwayvan.com

robert@shumwayvan.com

Attorney for Plaintiff

CIVIL CASE INFORMATION SHEET


CAUSE NUMBER (FOR CLERK USE ONLY): _____

COURT (FOR CLERK USE ONLY): _____

STYLED Adel Saeed vs. Michael L. Dale, Running Cool Express, LLC

(e.g., John Smith v. All American Insurance Co; In re Mary Ann Jones; In the Matter of the Estate of George Jackson)

A civil case information sheet must be completed and submitted when an original petition or application is filed to initiate a new civil, family law, probate, or mental health case or when a post-judgment petition for modification or motion for enforcement is filed in a family law case. The information should be the best available at the time of filing.

1. Contact information for person completing case information sheet:		Names of parties in case:		Person or entity completing sheet is:	
Name: _____ Robert Petersen		Email: _____ robert@shumwayvan.com		<input checked="" type="checkbox"/> Attorney for Plaintiff/Petitioner <input type="checkbox"/> Pro Se Plaintiff/Petitioner <input type="checkbox"/> Title IV-D Agency <input type="checkbox"/> Other: _____	
Address: _____ 310 S. St. Mary's St. #2100		Telephone: _____ 210-503-2800		Additional Parties in Child Support Case: _____	
City/State/Zip: _____ San Antonio, Texas 78205		Fax: _____ 210-503-2888		Custodial Parent: _____	
Signature: _____ 		State Bar No: _____ 24083655		Non-Custodial Parent: _____	
		Defendant(s)/Respondent(s): _____ Michael L. Dale Running Cool Express, LLC		Presumed Father: _____	
		[Attach additional page as necessary to list all parties]			
2. Indicate case type, or identify the most important issue in the case (select only 1):					
Civil			Family Law		
Contract	Injury or Damage	Real Property	Marriage Relationship	Post-judgment Actions (non-Title IV-D)	
Debt/Contract <input type="checkbox"/> Consumer/DTPA <input type="checkbox"/> Debt/Contract <input type="checkbox"/> Fraud/Misrepresentation <input type="checkbox"/> Other Debt/Contract: _____	<input type="checkbox"/> Assault/Battery <input type="checkbox"/> Construction <input type="checkbox"/> Defamation Malpractice <input type="checkbox"/> Accounting <input type="checkbox"/> Legal <input type="checkbox"/> Medical <input type="checkbox"/> Other Professional Liability: _____ <input checked="" type="checkbox"/> Motor Vehicle Accident <input type="checkbox"/> Premises Product Liability <input type="checkbox"/> Asbestos/Silica <input type="checkbox"/> Other Product Liability List Product: _____ <input type="checkbox"/> Other Injury or Damage: _____	<input type="checkbox"/> Eminent Domain/Condemnation <input type="checkbox"/> Partition <input type="checkbox"/> Quiet Title <input type="checkbox"/> Trespass to Try Title <input type="checkbox"/> Other Property: _____	<input type="checkbox"/> Annulment <input type="checkbox"/> Declare Marriage Void Divorce <input type="checkbox"/> With Children <input type="checkbox"/> No Children	<input type="checkbox"/> Enforcement <input type="checkbox"/> Modification—Custody <input type="checkbox"/> Modification—Other Title IV-D <input type="checkbox"/> Enforcement/Modification <input type="checkbox"/> Paternity <input type="checkbox"/> Reciprocity (UIFSA) <input type="checkbox"/> Support Order	
Related to Criminal Matters			Other Family Law	Parent-Child Relationship	
<input type="checkbox"/> Expunction <input type="checkbox"/> Judgment Nisi <input type="checkbox"/> Non-Disclosure <input type="checkbox"/> Seizure/Forfeiture <input type="checkbox"/> Writ of Habeas Corpus—Pre-indictment <input type="checkbox"/> Other: _____			<input type="checkbox"/> Enforce Foreign Judgment <input type="checkbox"/> Habeas Corpus <input type="checkbox"/> Name Change <input type="checkbox"/> Protective Order <input type="checkbox"/> Removal of Disabilities of Minority <input type="checkbox"/> Other: _____	<input type="checkbox"/> Adoption/Adoption with Termination <input type="checkbox"/> Child Protection <input type="checkbox"/> Child Support <input type="checkbox"/> Custody or Visitation <input type="checkbox"/> Gestational Parenting <input type="checkbox"/> Grandparent Access <input type="checkbox"/> Parentage/Paternity <input type="checkbox"/> Termination of Parental Rights <input type="checkbox"/> Other Parent-Child: _____	
Employment		Other Civil			
<input type="checkbox"/> Discrimination <input type="checkbox"/> Retaliation <input type="checkbox"/> Termination <input type="checkbox"/> Workers' Compensation <input type="checkbox"/> Other Employment: _____		<input type="checkbox"/> Administrative Appeal <input type="checkbox"/> Antitrust/Unfair Competition <input type="checkbox"/> Code Violations <input type="checkbox"/> Foreign Judgment <input type="checkbox"/> Intellectual Property <input type="checkbox"/> Lawyer Discipline <input type="checkbox"/> Perpetuate Testimony <input type="checkbox"/> Securities/Stock <input type="checkbox"/> Tortious Interference <input type="checkbox"/> Other: _____			
Tax		Probate & Mental Health			
<input type="checkbox"/> Tax Appraisal <input type="checkbox"/> Tax Delinquency <input type="checkbox"/> Other Tax: _____		Probate/Wills/Intestate Administration <input type="checkbox"/> Dependent Administration <input type="checkbox"/> Independent Administration <input type="checkbox"/> Other Estate Proceedings <input type="checkbox"/> Guardianship—Adult <input type="checkbox"/> Guardianship—Minor <input type="checkbox"/> Mental Health <input type="checkbox"/> Other: _____			
3. Indicate procedure or remedy, if applicable (may select more than 1):					
<input type="checkbox"/> Appeal from Municipal or Justice Court <input type="checkbox"/> Arbitration-related <input type="checkbox"/> Attachment <input type="checkbox"/> Bill of Review <input type="checkbox"/> Certiorari <input type="checkbox"/> Class Action		<input type="checkbox"/> Declaratory Judgment <input type="checkbox"/> Garnishment <input type="checkbox"/> Interpleader <input type="checkbox"/> License <input type="checkbox"/> Mandamus <input type="checkbox"/> Post-judgment		<input type="checkbox"/> Prejudgment Remedy <input type="checkbox"/> Protective Order <input type="checkbox"/> Receiver <input type="checkbox"/> Sequestration <input type="checkbox"/> Temporary Restraining Order/Injunction <input type="checkbox"/> Turnover	
4. Indicate damages sought (do not select if it is a family law case):					
<input type="checkbox"/> Less than \$100,000, including damages of any kind, penalties, costs, expenses, pre-judgment interest, and attorney fees <input type="checkbox"/> Less than \$100,000 and non-monetary relief <input type="checkbox"/> Over \$100,000 but not more than \$200,000 <input type="checkbox"/> Over \$200,000 but not more than \$1,000,000 <input checked="" type="checkbox"/> Over \$1,000,000					



CIVIL FILING HOLDING NOTES

CAUSE NUMBER: 15 ci 14530DISTRICT COURT 45CLERK EdgarDATE 9/2/15

REASON: (CIRCLE ONE) FEE'S

FORMS

ORIGINALS

COPIES

ORDERS

EXPLANATION: Nee 2 addition copies serving
5051ST CALL:NAME: petersen

DATE:

STATUS: will bring

CLERK INTIALS

EGextra copies

CALL RETURNED:

DATE:

2nd CALL:

NAME:

DATE:

STATUS:

CLERK INTIALS

BY

2015
15 SEP -3 AM 0:45
DEPUTY

CALL RETURNED:

DATE:

3rd CALL:

NAME:

DATE:

STATUS:

CLERK INTIALS

CALL RETURNED:

DATE:

CLERK NOTES: Brought extra copies

MANAGER/SUPERVISOR NOTES:

DATE: 9/3/15

PRIVATE PROCESS

Case Number: 2015-CI-14530



2015CI14530 S00001

ADEL SAEED

VS.

MICHAEL L DALE ET AL

(Note: Attached Document May Contain Additional Litigants.)

 IN THE DISTRICT COURT
 45th JUDICIAL DISTRICT
 BEXAR COUNTY, TEXAS

CITATION

"THE STATE OF TEXAS"

Directed To: MICHAEL L DALE

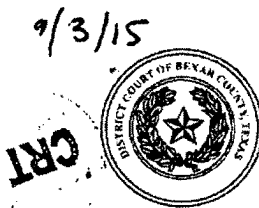
BY SERVING THE SECRETARY OF STATE OF TEXAS

"You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you." Said petition was filed on the 31st day of August, 2015.

ISSUED UNDER MY HAND AND SEAL OF SAID COURT ON THIS 3RD DAY OF SEPTEMBER A.D., 2015.

PETITION

ROBERT Y PETERSEN
 ATTORNEY FOR PLAINTIFF
 310 S SAINT MARYS ST 2100
 SAN ANTONIO, TX 78205-3113



Donna Kay McKinney
Bexar County District Clerk
 101 W. Nueva, Suite 217
 San Antonio, Texas 78205

By: *Edgar Garcia*, Deputy

OFFICER'S RETURN

I received this citation on _____ at _____ o'clock ____ M. and: () executed it by delivering a copy of the citation with the date of delivery endorsed on it to the defendant, _____ in person on the _____ at _____ o'clock ____ M. at: _____ or () not executed because _____ Fees: _____ Badge/PPS #: _____ Date certification expires: _____ County, Texas

By: _____

OR: VERIFICATION OF RETURN (If not served by a peace officer) SWORN TO this _____

NOTARY PUBLIC, STATE OF TEXAS

OR: My name is _____, my date of birth is _____, and my address is _____ (County).

I declare under penalty of perjury that the foregoing is true and correct. Executed in _____ County, State of Texas, on the _____ day of _____, 20____.

Declarant

FILE COPY (DK002)

DOCUMENT SCANNED AS FILED

PRIVATE PROCESS

Case Number: 2015-CI-14530



2015CI14530 S00002

ADEL SAEED**VS.****MICHAEL L DALE ET AL**

(Note: Attached Document May Contain Additional Litigants.)

IN THE DISTRICT COURT
45th JUDICIAL DISTRICT
BEXAR COUNTY, TEXAS**CITATION****"THE STATE OF TEXAS"**Directed To: RUNNING COOL EXPRESS LLC
BY SERVING THE SECRETARY OF STATE OF TEXAS

"You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you." Said petition was filed on the 31st day of August, 2015.

ISSUED UNDER MY HAND AND SEAL OF SAID COURT ON THIS 3RD DAY OF SEPTEMBER A.D., 2015.

PETITION

ROBERT Y PETERSEN
ATTORNEY FOR PLAINTIFF
310 S SAINT MARYS ST 2100
SAN ANTONIO, TX 78205-3113



Donna Kay McKinney
Bexar County District Clerk
101 W. Nueva, Suite 217
San Antonio, Texas 78205

By: *Edgar Garcia*, Deputy**OFFICER'S RETURN**

I received this citation on _____ at _____ o'clock ____ M. and: () **executed** it by delivering a copy of the citation with the date of delivery endorsed on it to the defendant, _____ in person on the _____ at _____ o'clock ____ M. at: _____ or () **not executed** because _____ Fees: _____ Badge/PPS #: _____
Date certification expires: _____ County, Texas

By: _____

OR: VERIFICATION OF RETURN (If not served by a peace officer) SWORN TO this _____

NOTARY PUBLIC, STATE OF TEXAS

OR: My name is _____, my date of birth is _____, and my address is _____ (County).

I declare under penalty of perjury that the foregoing is true and correct. Executed in _____ County, State of Texas, on the _____ day of _____, 20____.

Declarant

FILE COPY (DK002)

DOCUMENT SCANNED AS FILED

9/10/2015 3:00:37 PM

Donna Kay McKinney

PRIVATE PROCESS

Case Number: 2015-CI-14530



2015CI14530 S00002

ADEL SAEED

VS.

MICHAEL L DALE ET AL

(Note: Attached Document May Contain Additional Litigants.)

Bexar County District Clerk

Accepted By: George Diaz

IN THE DISTRICT COURT
45th JUDICIAL DISTRICT
BEXAR COUNTY, TEXAS

CITATION

"THE STATE OF TEXAS"

Directed To: RUNNING COOL EXPRESS LLC

BY SERVING THE SECRETARY OF STATE OF TEXAS

"You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you." Said petition was filed on the 31st day of August, 2015.

ISSUED UNDER MY HAND AND SEAL OF SAID COURT ON THIS 3RD DAY OF SEPTEMBER A.D., 2015.

PETITION

ROBERT Y PETERSEN
ATTORNEY FOR PLAINTIFF
310 S SAINT MARYS ST 2100
SAN ANTONIO, TX 78205-3113



Donna Kay McKinney
Bexar County District Clerk
101 W. Nueva, Suite 217
San Antonio, Texas 78205

By: Edgar Garcia, Deputy

OFFICER'S RETURN

I received this citation on 9-4-15 at 12:26 o'clock P.M. and: (☒) executed it by delivering a copy of the citation with the date of delivery endorsed on it to the defendant, John GRAHAM in person on the 7th of September at 11:45 o'clock A.M. at: 2479 E 650N - FREMONT IN or () not executed because _____ Fees: _____ Badge/PPS #: _____

Date certification expires: _____

County, Texas

Karen Shelton

Notary Public
Steuben County Indiana
Commission Expires Nov. 30, 2022

OR: VERIFICATION OF RETURN (If not served by a peace officer) SWORN TO this _____ By: _____

Karen Shelton
NOTARY PUBLIC, STATE OF TEXAS Indiana

OR: My name is Kenneth Shelton, my date of birth is 6-18-47, and my address is 117 W Maumee Angola IN, Steuben (County).

I declare under penalty of perjury that the foregoing is true and correct. Executed in Steuben County, State of Texas, on the 8th day of Sept, 2015.

IN

Declarant

RETURN TO COURT (DK002)

T:\19000 - 99999a\20000-49999\21500.0072 - SAEED\Pldgs\Ans & Pets\Ans Orig - RCE.docx\1
September 25, 2015\REM\mms

Cause No. 2015CI14530

ADEL SAEED,	§	IN THE DISTRICT COURT
	§	
Plaintiff,	§	
	§	
V.	§	45 TH JUDICIAL DISTRICT
	§	
MICHAEL L. DALE,	§	
RUNNING COOL EXPRESS LLC	§	
	§	
Defendants.	§	BEXAR COUNTY, TEXAS

ORIGINAL ANSWER OF DEFENDANT,
RUNNING COOL EXPRESS LLC

TO THE HONORABLE JUDGE OF SAID COURT:

Now comes RUNNING COOL EXPRESS LLC, one of the Defendants in the above-entitled and numbered cause, and files this its Original Answer and for such would respectfully show unto the Court as follows:

I.

Defendant denies generally the allegations contained in Plaintiff's Original Petition and asks for a trial of the issues before a jury.

WHEREFORE, PREMISES CONSIDERED, Defendant prays that upon final hearing hereof that Plaintiff recover nothing of and from Defendant and the Court enter a judgment, and that Defendant go hence without day with all costs of court.

Respectfully submitted,

DAVIS, CEDILLO & MENDOZA, INC.
McCombs Plaza, Suite 500
755 E. Mulberry Avenue
San Antonio, Texas 78212
Telephone No.: (210) 822-6666
Telecopier No.: (210) 822-1151

By: *Ronald E. Mendoza*
RONALD E. MENDOZA
State Bar No. 13937700
rmendoza@lawdcm.com
ISAAC J. HURON
State Bar No. 24032447
ihuron@lawdcm.com

ATTORNEYS FOR DEFENDANT,
RUNNING COOL EXPRESS LLC

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been served via electronic service, hand delivery, facsimile, U.S. regular mail, or certified mail, return receipt requested, to:

Mr. Michael C. Van
Mr. Robert Y. Peterson
SHUMWAY VAN
310 S. St. Mary's #2100
San Antonio, Texas 78205
Attorney for Plaintiff

on this 25th day of September, 2015.

Ronald E. Mendoza
RONALD E. MENDOZA